

## INITIATIVE 870

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 870 to the People is a true and correct copy as it was received by this office.

1       AN ACT Relating to lowering the teen smoking rate in Washington  
2       state; amending RCW 70.155.080; and creating new sections.

3       BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

4       NEW SECTION.   **Sec. 1.**   SHORT TITLE.   This act may be known and  
5       cited as the Washington for Smoke Free Youth Act.

6       NEW SECTION.   **Sec. 2.**   FINDINGS.   According to the American Lung  
7       Association:

8       (1) Each day, 6,000 children under 18 years of age smoke their  
9       first cigarette. Almost 2,000 of them will become regular smokers.

10       (2) If current tobacco use patterns persist, an estimated 6.4  
11       million children will die prematurely from a smoking-related disease.

12       (3) Of adolescents who have smoked at least 100 cigarettes in their  
13       lifetime, most of them report that they would like to quit, but are not  
14       able to do so.

15       NEW SECTION.   **Sec. 3.**   PURPOSE.   The purpose of this act is to:

16       (1) Reduce the availability of cigarettes to minors;

17       (2) Help children say no to peer pressure to start smoking;

1 (3) Prevent teens from becoming life-long smokers;  
2 (4) Send a clear message to Washington youth that smoking is a  
3 dangerous and addictive habit;  
4 (5) Reduce the overall youth smoking and tobacco addiction rate  
5 throughout Washington state.

6 **Sec. 4.** RCW 70.155.080 and 2002 c 175 s 47 are each amended to  
7 read as follows:

8 (1) A person under the age of ((~~eighteen~~)) twenty-one years who  
9 purchases or attempts to purchase, possesses, or obtains or attempts to  
10 obtain cigarettes or tobacco products commits a class 3 civil  
11 infraction under chapter 7.80 RCW and is subject to a fine as set out  
12 in chapter 7.80 RCW or participation in up to four hours of community  
13 restitution, or both. The court may also require participation in a  
14 smoking cessation program. This provision does not apply if a person  
15 under the age of ((~~eighteen~~)) twenty-one, with parental authorization,  
16 is participating in a controlled purchase as part of a liquor control  
17 board, law enforcement, or local health department activity.

18 (2) Municipal and district courts within the state have  
19 jurisdiction for enforcement of this section.

20 (3) This section does not affect any person born before January 1,  
21 1985.

22 NEW SECTION. **Sec. 5.** CAPTIONS NOT LAW. Captions used in this act  
23 do not constitute any part of the law.

24 NEW SECTION. **Sec. 6.** CONSTRUCTION CLAUSE. The provisions of this  
25 act are to be liberally construed to effectuate the intent, policies,  
26 and purposes of this act.

27 NEW SECTION. **Sec. 7.** SEVERABILITY CLAUSE. If any provision of  
28 this act or its application to any person or circumstance is held  
29 invalid, the remainder of the act or the application of the provision  
30 to other persons or circumstances is not affected.

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